

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

No. 947

Issued: 08/05/03

Post Until: 09/05/03

**SUBJECT: DEFERRED ENTRY OF JUDGMENT (DEJ) - DPO RESPONSIBILITY IN
PROVIDING SUBSEQUENT REPORTS TO THE COURT**

Effective January 1, 1997, Deferred Entry of Judgment replaced Drug Diversion as a sentencing option for the Courts. Although almost identical in their application, Deferred Entry of Judgment allows for the defendant to plea guilty prior to sentencing with the plea not being entered as part of the judgment, pending the defendant's successful completion of the requirements under PC 1000.

The DPO's responsibility in providing additional reports to the court is outlined in section PC 1000.3 and includes the following:

1. "Progress reports shall be filed by the probation department with the court as directed by the court."
2. The DPO shall provide any information indicating the "individual is performing unsatisfactorily in the assigned program, or that the defendant is not benefiting from education, treatment, or rehabilitation, or that the defendant is convicted of a misdemeanor that reflects the defendants propensity for violence, or the defendant is convicted of a felony, or the defendant has engaged in criminal conduct rendering him or her unsuitable for deferred entry of judgment..."
3. The DPO is responsible for submitting a report at the time of expiration of the case addressing the "defendant's ability to pay and whether the defendant has paid a diversion restitution fee pursuant to section 1001.90, if ordered, and has met his or her financial obligation to the program, if any." Additionally, has the individual paid for the cost of Probation Services as provided in PC1203.1b

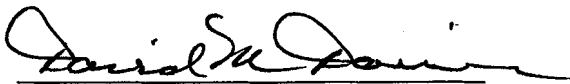
As with all supervision cases, a midterm review of DEJ cases is required, as well as a report to the Court 90 days prior to expiration, if there is any remaining unpaid financial balance. In all instances, a report is to be submitted to the Court at the time of expiration of the DEJ to advise the court of the status of the case and make a recommendation as necessary.

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Anytime a Deferred Entry of Judgment is revoked or terminated, and an additional report is ordered by the Court, a determination must be made as to which type of report is being requested. When the DEJ has been terminated and criminal proceedings have been reinstated, a Probation and Sentencing report is normally required. When Probation has been revoked and a bench warrant issued, the court is to be provided a bench warrant pick up report. There may be instances where the Court will request another type of report other than a sentencing or bench warrant report. The DPO will review the minute order carefully to determine exactly what type of report is being requested.

If there are any questions regarding this Directive, please contact Michael Larquier, Adult Consultant, at (562) 940-2525



David M. Davies, Chief
Adult Field Services

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